(3)

C.S. 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 2497 **/2004**

PETITIONER : Shiv Kumar @ Gudda, S/o. Tulsi Prasad Sharma, aged about 30 years, R/o. Nayapara, Bemetara Distt. Durg (C.G.)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh Through the Collector District Durg (C.G.)
2. The Collector District Durg (C.G.)
3. Office Incharge P.S. Bemetara, District Durg (C.G.) .

P.R. No. 2443/04 Presented by Shri Sanjay Agrawal dt. 10-8-04

RECEIVED COPY 10/8/04 Clerk to A.G. Bilaspur

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.NO.2497/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10/09/2004

Shri Sudhir Verma, counsel for the petitioner.

Shri Shri Sanjay S.Agrawal, Government Advocate for the State/respondents.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India, whereby he has questioned the legality and propriety of the show cause notice dated 26/07/2004 issued by respondent No.2 under Sections 5 (a) & (b) and 6 of Chhattisgharh Rajya Suraksha Adhiniyam, 1990 for showing cause to the petitioner as to why an externment order should not be passed against him from the district mentioned in the notice for a period of one year.

I have heard learned counsel for the parties and perused the impugned notice in which as many as 13 instances of the criminal activities of the petitioner have been mentioned.

In view of the above fact, it cannot be said that respondent No.2 has issued notice without any authority or the said notice is not in terms of Sections 5 and 6 of Chhattisgarh Rajya Suraksha Adhiniyam, 1990. However, petitioner is at liberty to file reply to show cause notice and respondent No.2 after giving opportunity to the parties for leading their evidence will decide the matter as per the law laid down by the High Court.

Therefore, I do not find any force in this writ petition and same is liable to be dismissed and it is dismissed.

Consequently, M.W.P.No.2211/2004 and I.A.No.5595/2004 stand disposed of.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये